

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

BROOK HUFFMAN,

3:11-CV-01068-ST

Plaintiff,

ORDER

v.

MICHAEL J. ASTRUE,
Commissioner, Social Security
Administration,

Defendant.

BROWN, Judge.

Magistrate Judge Janice M. Stewart issued Findings and Recommendation (#19) on September 6, 2012, in which she recommends the Court affirm the Commissioner's decision denying Plaintiff's applications for disability insurance benefits and supplemental security income. Plaintiff filed timely Objections to the Findings and Recommendation. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1). See also *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)(*en banc*); *United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988).

In her Objections, Plaintiff reiterates the arguments contained in her Opening Brief and Reply. This Court has carefully considered Plaintiff's Objections and concludes they do not provide a basis to modify the Findings and Recommendation. The Court also has reviewed the pertinent portions of the record *de novo* and does not find any error in the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Stewart's Findings and Recommendation (#19). Accordingly, the Court **AFFIRMS** the Commissioner's decision and **DISMISSES** this matter.

IT IS SO ORDERED.

DATED this 28th day of November, 2012.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge